REMARKS

By this Amendment, Applicants amend claim 12 and add new claims 15 and 16 to address other aspects of the present invention. Applicants also cancel non-elected claims 1-11, 13, and 14 without prejudice or disclaimer of the subject matter thereof. Upon entry of this Amendment, claims 12, 15, and 16 will be pending.

In the Office Action, the Examiner rejected claim 12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,923,330 to Tarlton et al. ("Tarlton") in view of Hon Wai Chun et al., "Intelligent critic system for architectural design," IEEE Transactions on Knowledge and Data Engineering, Volume 9, Issue 4, July-August 1997 ("Chun").[1]

Regarding the rejection under 35 U.S.C. § 103(a)

Applicants respectfully traverses the Examiner's rejection of claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Tarlton in view of Chun, because a *prima facie* case of obviousness has not been established.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *See* M.P.E.P. § 2142, 8th Ed., Rev. 5 (August 2006). Moreover, "in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed." USPTO Memorandum from

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Margaret A. Focarino, Deputy Commissioner for Patent Operations, May 3, 2007, page 2.

Independent claim 12, as amended, recites a combination including, for example, "selection means for selecting, based on the characteristics of the plurality of areas included in the first parameter [indicating the characteristics of the plurality of areas and directions in which the plurality of components are to be arranged in each area], one component from among the plurality of components for which the second parameter [indicating at least types and sizes of the plurality of components and environments where the plurality of components are to be arranged] has been designated." Tarlton fails to teach or suggest at least these features of amended claim 12.

Tarlton teaches "[a] method and system for generating an interactive, multi-resolution presentation space of information structures within a computer enabling a user to navigate and interact with the information. The presentation space is hierarchically structured into a tree of nested visualization elements. A visual display is generated for the user which has a plurality of iconic representations and visual features corresponding to the visualization elements and the parameters defined for each visualization element." Tarlton, abstract. "From the database access, the system has a list of nodes that are used to build an initial presentation space 140, . . . The system then builds a point of view into the presentation space called an avatar 150, . . . The avatar is added to the visualization structure 160 and the user is then allowed to interact in the presentation space 170 through use of the input means and an image output means." Tarlton, column 3, lines 9-12.

Therefore, Tarlton relates to generating an image of a previously-prepared object seen from a virtual viewpoint. On the other hand, the present invention as recited in amended claim 12 is directed to selecting and arranging components in accordance with the features of respective areas, as indicated by first and second parameters, as recited in amended claim 12. Tarlton's teaching of generating virtual presentation space does <u>not</u> constitute "selection means for selecting, based on the <u>characteristics of the plurality of areas included in the first parameter [indicating the characteristics of the plurality of areas and directions in which the plurality of components are to be arranged in each area]</u>, one component from <u>among the plurality of components</u> for which the second parameter [indicating <u>at least types and sizes of the plurality of components and environments where the plurality of components are to be arranged</u>] has been designated," as recited in amended claim 12 (emphasis added).

In fact, Tarlton is completely silent on "selecting [components]. . . based on the <u>characteristics of the plurality of areas included in the first parameter</u>." Tarlton explicitly states that "[s]ince many visualization elements may exist within a presentation space, it is not possible or realistic to render <u>each and every visualization element in the presentation space</u>. To determine which visualization elements are rendered, <u>"culling" and "pruning" of the presentation space tree</u> may be performed." Tarlton, column 7, lines 32-37, emphasis added. Such "culling" and "pruning" of the presentation space tree actually teaches away from the listed elements recited in amended claim 12.

Chun fails to cure the deficiencies of Tarlton. The Examiner alleges that "Chun et al. teaches this limitation [of arranging means for arranging the selected component with an algorithm simulating human sensitiveness and structuring said completed

component] . . . , i.e. IDX rules defining where objects should be placed based on what people think is understood to be arranging and structuring components based on human sensitiveness." (Office Action at 5.) Applicants respectfully disagree.

However, even assuming the Examiner's allegation is true, which Applicants do not concede, <u>Chun's</u> teaching of IDX critic rules (i.e., excluding certain arrangements instead of selecting or including certain components to be arranged) does <u>not</u> constitute "selection means for selecting, based on the <u>characteristics of the plurality of areas included in the first parameter [indicating the characteristics of the plurality of areas and directions in which the plurality of components are to be arranged in each area]</u>, one component from <u>among the plurality of components</u> for which the second parameter [indicating <u>at least types and sizes of the plurality of components and environments where the plurality of components are to be arranged]</u> has been designated," as recited in amended claim 12 (emphasis added).

Therefore, neither <u>Tarlton</u> nor <u>Chun</u>, taken alone or in any reasonable combination, teaches or suggests all elements of amended claim 12. A *prima facie* case of obviousness has not been established. Accordingly, Applicants respectfully request withdrawal of the Section 103(a) rejection of amended claim 12.

Regarding the newly added claims

Applicants have added claims 15 and 16 to address other aspects of the present invention. Support for claims 15 and 16 may be found at, for example, pages 16 and 18-21 of the specification. Further, while of different scope, claims 15 and 16 include similar recitations to those of amended claim 12. Claims 15 and 16 are therefore also allowable for at least the same reasons stated above with respect to amended claim 12.
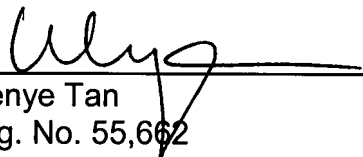
Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: August 21, 2007   By:_____

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